DETAILED ACTION

Status of Previous Objection to the Specification

The previous objection to the specification for not providing antecedent basis for the subject matter of claim 30 is withdrawn in view of the amendments to the specification.

Status of Previous Objections

The previous objection to claim 34 is withdrawn in view of the amendment to the claim.

Status of Previous Rejections Under 35 USC § 112

The previous rejections of claims 15, 20, 29, 30, 33, and 34 under the first paragraph of 35 U.S.C. 112 are withdrawn in view of Applicant's amendment and the Examiner's amendment to the claims.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Smith-Hill on March 5, 2010.

The application has been amended as follows:

Claim 34. (currently amended) A method according to claim 15, comprising heating the hydroxide sludge to a temperature ~~above 1200°C~~ of 1200-1300°C, whereby the hydroxide sludge melts and subsequently solidifies on cooling to ambient temperature.

Claims 21-28. (canceled)

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The closest prior art to Elkund et al. (WO 03/018850) teaches a neutralized pickling sludge containing a fluoride-containing compound. Eklund et al. fail to teach or suggest heating the sludge to a temperature of 1000-1300°C as claimed. Lintz (US 3,276,860) is drawn to heating a calcium fluoride-sodium chloride eutectic to a temperature of at least 1200°C in order to form a flux. The sludge of Eklund et al. is neither substantially identical nor substantially similar in chemical composition to the flux of Lintz. Furthermore, the strength of the flux of Lintz is derived from a combination of the heat treatment step and the chemical composition of the eutectic. Therefore, it would not

have been suggestive to one of ordinary skill in the art to have heated the sludge of Eklund to the claimed temperatures.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Prior Art

JP 51-28516 (abstract): Pickling sludge is heated at 800-1300°C. The sludge is not disclosed as being neutralized. The sludge does not contain a fluoride-containing compound.

JP 57-79107 (abstract and professional translation), JP 2003-277821 (abstract), US 4,043,803, and US 3,044,868: Neutralized pickling sludge is not heated to the claimed temperature range.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanessa Velasquez whose telephone number is 571-270-3587. The examiner can normally be reached on Monday-Friday 9:00 AM-6:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached at 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanessa Velasquez/
Examiner, Art Unit 1793
/Scott Kastler/
Primary Examiner, Art Unit 1793